

DRAFT

Via First Class and Electronic Mail

February 5, 2013

Mr. Hector R. Sola  
Real Estate Strategic Development Office  
Puerto Rico Industrial Development Company  
355 F.D. Roosevelt Avenue  
Hato Rey, Puerto Rico 00918

Re: Notice of Field Investigations under CERCLA at the Cabo Rojo Ground Water Contamination Superfund Site, Cabo Rojo, Puerto Rico  
Request for Access to Property located at Project T-0962-0-70 and T-0962-1-78  
Pedernales PRIDCO Industrial Park ("PRIDCO East"), Carr. 103 (PR 103) KM 7.3, 7.4 & 7.5, Cabo Rojo Puerto Rico

Dear Mr. Sola:

As you are aware the United States Environmental Protection Agency ("EPA") is undertaking an investigation of the groundwater contamination in Cabo Rojo, Puerto Rico pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §§ 9601-9675<sup>1</sup> and in need of access to the driveway and parking area of your property located at Project T-0962-0-70 and T-0962-1-78 in PRIDCO East in Cabo Rojo Puerto Rico (the "Property").

The Cabo Rojo Urbano public water system serves approximately 48,500 people in the Cabo Rojo area. Ground water samples collected by the Puerto Rico Aqueduct and Sewer Authority ("PRASA") and EPA found tetrachloroethylene ("PCE") and trichloroethylene ("TCE"), solvents commonly used in industrial processes, in part of the Cabo Rojo Urbano system. On March 10, 2011, the Site was placed on the National Priorities List, established under Section 105(a) of CERCLA, 42 U.S.C. § 9605(a), to prioritize known "releases or threatened releases" of hazardous substances.<sup>2</sup>

In June 2011, EPA initiate the field investigation for the RI/FS to determine the nature and extent of the ground-water contamination at and from the Site and to determine the nature of the remedial action needed to address the contamination. EPA's investigation has not yet identified

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1 For basic information on the Superfund Program in Spanish, see: <http://www.epa.gov/superfund/spanish/index.htm>.

2 For further information on the Site, see: [www.epa.gov/superfund/sites/npl/nar1823.htm](http://www.epa.gov/superfund/sites/npl/nar1823.htm) and <http://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0206319>.

the source of ground water contamination in the public supply wells and further investigations are underway.

RI/FS activities may include soil borings, collection of ground-water screening samples, installation of monitoring wells and ground-water sampling within the municipality of Cabo Rojo, Puerto Rico. As we have previously discussed, in order to accomplish those tasks, we need access to certain PRIDCO-owned Property to use as a staging area for our vehicles and equipment. We initially requested access to the vacant land adjacent to PRIDCO Property S-1105-0-75, located in PRIDCO East for staging purposes. By letter dated December 20, 2012, Mr. Jorge L. Morales Lopez, Acting Director of PRIDCO's Properties Management Division granted EPA such access. While we appreciate your cooperation, as we discussed, that parcel proved not to be suitable for our purposes due to the lack of power supply and security concerns.

This letter seeks the cooperation of PRIDCO in providing access to EPA and its consultants in order to conduct the referenced activities at the Property from approximately February, 2013 through November 2013. As we discussed, we currently only anticipate needing access to the driveway and parking area of the Property for the staging of vehicles and equipment and we do not anticipate making any alterations or additions to the Property.

We have enclosed a standard EPA "Consent for Access to Property" form to be signed by an authorized representative of PRIDCO. Please note that this form is substantially the same form signed by Norberto M. Benitez Torres of PRIDCO in July 2011 in conjunction with the San German Ground Water Contamination Site investigations. In order to expedite the process, kindly provide a response to this request **within seven (7) days of your receipt of this letter.**

If you have any questions regarding this matter or the activities that will be conducted or you would like to discuss this matter with EPA, you may call me at (212) 637-4319. If there are questions of a legal nature, your attorney may contact Marla E. Wieder, Assistant Regional Counsel in the Office of Regional Counsel at (212) 637-3184. We appreciate your attention to this matter.

Sincerely yours,



Denise Zeno  
Remedial Project Manager

Enclosures

## ***CONSENT FOR ACCESS TO PROPERTY***

Property Owner: Puerto Rico Industrial Development Company ("PRIDCO")

Address of Property: Driveway and Parking Area of Project T-0962-0-70 and T-0962-1-78, Pedernales PRIDCO Industrial Park ("PRIDCO East")  
Carr. 103 (PR 103) KM 7.3, 7.4 & 7.5  
Cabo Rojo Puerto Rico

I, the undersigned authorized representative of PRIDCO, consent to officers, employees and authorized representatives of the United States Environmental Protection Agency ("EPA") entering and having continued access to the above-referenced property located at Project T-0962-0-70 and T-0962-1-78 in PRIDCO East, Cabo Rojo, Puerto Rico ("Property"). Access is granted to the Property for the staging of vehicles and equipment in connection with remedial investigations related to the Cabo Rojo Ground Water Contamination Superfund Site. I understand and agree that EPA and its representatives will be free to enter upon the Property at all reasonable times.

I understand that these actions by EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. §§ 9601- 9675. I understand that EPA requires its contractors to maintain comprehensive vehicle liability insurance, and comprehensive general liability insurance for bodily injury, death, or loss of, or damage to property or third persons, arising from activities of its contractors. I also understand that such insurance shall be maintained at all times that EPA's contractors are conducting activities on the above-referenced Property.

I acknowledge that I have been informed of the above-mentioned activities. This written permission is given by me voluntarily with knowledge of my right to refuse and without threats or promises of any kind. By my signature, I also acknowledge that I am fully authorized to grant such access.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title (PRINT)